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EXAMINER	
HUYNH, SON P	

ART UNIT	PAPER NUMBER
2611	17

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Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary	Application No.	Applicant(s)	
	09/368,433	FLAVIN, ROBERT ALAN	
	Examiner	Art Unit	
	Son P Huynh	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 October 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 August 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 5 and 15 are objected to because of the following informalities: the phrase "a first receiver section that receives for receiving" is unclear. Examiner interprets this phrase as -a first receiver section that receives-. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-10, 14-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 5, 6 recites the limitation "said broadcaster" in line 11, line 5, line 6 respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the signal processing device" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Double Patenting

5. Claims 1, 5-6, 11-13 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3-7 of U.S. Patent No. 6,005,603 (hereinafter referred to as '603), and in view of Kwoh (US 6,115,057).

Regarding claim 1, claim 1 of '603 recites a segment announcement receiver comprising: a receiver section for receiving a signal; one or more announcements carried on the signal, the announcement containing:
a description about one or more of the content streams;
a time at which the content stream is received on the carrier signal, and
a content stream identifier, the one or more announcements being selectively added to the signal by a party other than a broadcaster of the stream; and
a controller that performs a function determined by the description and the time. It is obvious that the one or more announcements correspond to a content being provided

on the one or more content stream in order to provide information of the content stream. However, claim 1 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 5, claim 3 of '603 recites a segment announcement receiver comprising:

a first receiver section for receiving one or more content streams on a content carrier signal;

a second receiver section for receiving one or more announcements, each of the announcements containing a description about one or more content streams, a time at which the content stream is received by the first receiver section, and a content stream identifier, and

a controller that performs a function in a signal processing device determined by the description and the time, wherein one or more announcements being selectively added to the signal by a party other than a broadcaster of the stream. It is obvious that the one or more announcements correspond to a content being provided on the one or more content stream in order to provide information of the content stream. However, claim 3 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements

(rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 6, claim 4 of '603 recites a segment announcement system comprising:
an analyzer that analyzes a content of one or more content streams;
an announcement generator that creates one or more announcements containing a description about one or more of the content streams; and
a transmitter section that sends the announcement to one or more receivers, the one or more announcements being selectively added to the signal by a party other than a broadcaster of the content streams. It is obvious that the receivers comprises a controller that alters a presentation of the one or more content streams in accordance with the description and the time from a corresponding announcement in order to change the presentation in accordance with the description and time created by the

party. However, claim 4 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 11, claim 5 of '603 recites a closed circuit transmission system comprising:

one or more segment announcer system comprising:

an analyzer that analyzes a content of one or more content streams;

an announcement generator that creates one or more announcements containing description about one or more of the content streams and a time associated with the content stream;

a transmitter section that sends the announcement over a communication network; and

one or more segment announcement receivers comprising:

a receiver section for receiving the announcement and the content stream;

a controller that performs a function determined by the description and the time.

However, claim 5 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the

comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 12, claim 6 of '603 recites a process comprising:

receiving one or more content streams,

receiving one or more announcements having one or more description about the content of one or more of the content stream, the one or more announcements being selectively added to a content stream by a party other than a broadcaster of the content stream;

matching one or more of the descriptions to one or more of the content streams; and

performing a function during the processing of one of the content streams if the content stream being processed matches one or more of the descriptions. However, claim 6 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more

announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 13, claim 7 of '603 recites a segment announcement receiver comprising:

means for receiving one or more announcement having one or more descriptions about the content of one or more of the content streams, the one or more announcements being selectively added to a content stream by a party other than a broadcaster of the content stream;

means for receiving one or more content streams;

means for matching the description of the content; and

means for performing a function during the processing of one of the content streams if the content stream being processed matches one or more of the description. However, claim 7 of '603 does not recites a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in

RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Flavin to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

6. Allowance of claims 1, 5-6, 11-13 would result in an un-warranted timewise extension of the monopoly granted for the invention as defined in claims 1, 3-7 of patent number 6,005,603. Therefore, the double patenting rejection is justified.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-7, 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks (US 5,798,785) in view of Kwoh et al. (US 6,115,057).

Regarding claim 1, Hendricks discloses a delivery system comprising operation center 202 receives television programs from external program sources 212, the received

television programs then packaged into the groups and categories. After the CAP packets the programs, it creates a program control information signal to be delivered with the program package to the cable modem and/or set top terminal 220. The program control information contains a description of the contents of the program package, commands to be sent to the cable head end and/or set top terminal and other information relevant to the signal transmission (see col. 6, line 4-col. 7, line 14). Hendricks further discloses the program control signal includes: number of program categories, names of program categories, what channels are assigned to a specific category (such as special channels), names of channels, name of programs on each channel, program start times, length of programs, description of programs, menu assignment for each program, pricing, whether there is a sample video clip for advertisement for the program, and any other program, menu or product information (see col. 12, lines 54-63) rating 1166 (figure 11a) ; In addition, Hendricks teaches the terminal creates a personal profile for the particular viewer. Using the data in the particular viewer's personal profile, subscriber mood information and the television program information available in the program control information signal, the microprocessor 602 in the set top terminal 220 is able to select a group of programs, which the particular viewer is most likely watch (see col. 29, line 1- col. 38, line 33). Thus, Hendricks teaches a segment announcement receiver (set top terminal 220 and display) comprising:

a receiver section (tuner 603) that receives a signal carrying one or more content streams (content of program packet) and one or more announcements (program control

signal), wherein each of the one or more announcement corresponds to a content being provided on the one or more content streams, wherein each of the one or more announcement includes:

a description about the corresponding content in the one or more of the content streams (category, rating, etc.);

a time at which the corresponding content is transmitted on the signal; and content identifier,

wherein each of the one or more announcement was created by a party (CAP) other than the broadcaster (external sources). Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line

65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 2, Hendricks teaches the description includes a category (see col. 12, lines 54-63).

Regarding claim 3, Hendricks teaches the signal processing device is any one of ore of the following: a television, a radio, a closed circuit television, a video recorder, and a computer (figures 3, 4, 6).

Regarding claim 4, Hendricks teaches the presentation is by a television 222 (see figure 3).

Regarding claim 5, Hendricks discloses a delivery system comprising operation center 202 receives television programs from external program sources 212, the received television programs then packaged into the groups and categories. After the CAP

packets the programs, it creates a program control information signal to be delivered with the program package to the cable head end and/or set top terminal 220. The set top box received television by tuner 603 (see figure 4); and program control information signal can be sent directly from the Operation center 202, processed by the network controller 214 and then forwarded to the set top box, or transmitted over telephone lines (see col. 19, lines 30-35) The program control information contains a description of the contents of the program package, commands to be sent to the cable head end and/or set top terminal and other information relevant to the signal transmission (see col. 6, line 4-col. 7, line 14). Hendricks further discloses the program control signal includes: number of program categories, names of program categories, what channels are assigned to a specific category (such as special channels), names of channels, name of programs on each channel, program start times, length of programs, description of programs, menu assignment for each program, pricing, whether there is a sample video clip for advertisement for the program, and any other program, menu or product information (see col. 12, lines 54-63) rating 1166 (figure 11a). The program control information can be transmitted to set top terminal over telephone line connected modem 627 (see col. 19, line 29+). In addition, Hendricks teaches the terminal creates a personal profile for the particular viewer. Using the data in the particular viewer's personal profile, subscriber mood information and the television program information available in the program control information signal, the microprocessor 602 in the set top terminal 220 is able to select a group of programs, which the particular viewer is

most likely watch (see col. 29, line 1- col. 38, line 33). Thus, Thus, Hendricks teaches a segment announcement receiver (set top terminal 220 and display 222) comprising:
a first receiver section (tuner 603) that receives one or more content streams on a content carrier signal (content of program packet);
a second receiver section (modem 627) that receives one or more announcements (program control signal) created by a party (CAP) other than the broadcaster (external source) and that is contain:
a description about the corresponding content within the one or more content streams (category, rating, etc.);
a time at which the corresponding content is transmitted by the first receiver section; and content identifier. Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose a controller that compares the one or more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.
Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input

39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 6, Hendricks discloses a delivery system comprising operation center 202 receives television programs from external program sources 212, the received television programs then packaged into the groups and categories by a programmer and computer assisted packaging (CAP). After the CAP packets the programs, it creates a program control information signal to be delivered with the program package by program delivery 204 to the cable modem and/or set top terminal 220. The program control information contains a description of the contents of the program package, commands to be sent to the cable head end and/or set top terminal and other information relevant to the signal transmission (see col. 6, line 4-col. 7, line 14). Hendricks further discloses the program control signal includes: number of program categories, names of program categories, what channels are assigned to a specific

category (such as special channels), names of channels, name of programs on each channel, program start times, length of programs, description of programs, menu assignment for each program, pricing, whether there is a sample video clip for advertisement for the program, and any other program, menu or product information (see col. 12, lines 54-63) rating 1166 (figure 11a); In addition, Hendricks teaches the terminal creates a personal profile for the particular viewer. Using the data in the particular viewer's personal profile, subscriber mood information and the television program information available in the program control information signal, the microprocessor 602 in the set top terminal 220 is able to select a group of programs, which the particular viewer is most likely watch (see col. 29, line 1- col. 38, line 33). Thus, Hendricks teaches a segment announcement system (television delivery system 200) comprising:

an analyzer (CAP) that analyzes a content of one or more content streams;

announcement generator (CAP) that creates an announcement (program control signal) containing description about the content of one or more of the content streams (program packet);

a transmitter section (delivery 204) that sends the announcement to one or more receivers (set top terminal 220 and display 222) using a signal, the announcement being added to the signal by a party (CAP) other than the broadcaster (external source) of the content; Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose a controller that compares the one or

more announcements to a filter record and that alters a presentation when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches a controller (command controller 36) that compares the one or more announcements (data packets, rating level, etc.) to a filter record (data stored in RAM 84) and that alters a presentation (block unacceptable data) when the comparison of the one or more announcement to the filter record indicates a correspondence between the one or more announcements and the at least one user preference for altering the presentation in the filter record. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 7, Hendricks et al. teaches a system as discussed in the rejection of claim 6 wherein the analyzer comprises a programmer (see col. 6, lines 35-52).

Regarding claim 9, Hendricks et al. discloses the announcement comprises a time associated with the content stream (see col. 20, lines 57-67).

Regarding claim 10, Hendricks et al. discloses the announcement further comprises a content stream identifier (see col. 20, line 57+).

Regarding claim 11, Hendricks in view of Kwoh teaches a system as discussed in the rejection of claim 6. Hendricks further discloses set top terminal 220 comprises tuner 603 and modem 627 for receiving the content stream and the announcement (see figure 4).

Regarding claim 12, Hendricks teaches a process comprising:
adding an announcement (program control signal) to a signal including a content stream (signal packet) by a party (CAP) other than a broadcaster (external source) of the content stream;
receiving the content stream, the announcement having a description about a content of the content stream (see figures 1-2);
matching the description to the content stream (program control information is created after the television programs is packaged and program control information and television are sent to set top terminal 220. The set top terminal uses the program control information to generate a menu, User select an icon on the menu to display television

program correspond to the selected icon- see figures 1, 12a); Hendricks also discloses parental lock (col. 14, line 14); and the user can select to control program display based on program rating (col. 32, lines 15-19). However, Hendricks does not specifically disclose presenting the content in accordance with at least one user preference in a filter record when a comparison with the filter record indicates a correspondence between the filter record and the description in the announcement.

Kwoh discloses a system comprises parental control device 40. Authorized user such as parent can enter rating level, programs identifier, channels, time, length, etc. of program to be blocked. The entered information is stored in RAM 84 in command controller 36 of parental control device 40. Program video signals and announcements (rating data, program identifier, data packets, etc.) are received via signal source input 39. The announcement is compared to the information stored in RAM 84; if the comparison is matched, the unacceptable data is blocked (figures 1-6 and col. 1, line 65). Thus, Kwoh teaches presenting the content in accordance with at least one user preference in a filter record (data stored in RAM 84) when a comparison with the filter record indicates a correspondence between the filter record and the description in the announcement. Therefore, it would have been obvious to one of ordinary skill to modify Hendricks to use the teaching as taught by Kwoh in order to allow parent to control data displayed to children.

Regarding claim 13, the limitation of the segment announcement receiver correspond to the limitations of the process as claimed in claim 12 and are analyzed as discussed in the rejection of claim 12.

Regarding claim 14, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 1. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

Regarding claim 15, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 5. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

Regarding claim 16, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 6. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

Regarding claim 17, Hendricks in view of Kwoh teaches the receiver as discussed in the rejection of claim 11. Kwoh further teaches presenting section (monitor 442) for presenting the content stream, wherein the controller (command controller in parental control circuit 40) controls presenting section to alter the presentation (present acceptable data to monitor- figures 12, 18).

9. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Hendricks et al. (US 5,798,785) and Kwoh et al. (US 6,115,057) as applied to claim 7 above, and further in view of Menard et al. (US 6,061,056).

Regarding claim 8, Hendricks in view of Kwoh teaches a system as discussed in the rejection of claim 7. However, neither Hendricks nor Kwoh explicitly disclose electronic signal processor includes video image process that queries by image content.

Menard et al. discloses a system for automatically monitoring broadcast, such as television broadcasts, and detecting content of particular interest to individual viewer comprising video capture 9, closed caption capture 10 and audio capture 11 wherein the video or audio or closed caption of the television were captured and compared to the stored data. If the captured data matches the stored data, the receiver receives an alert that indicate the on the screen. If a display has been requested, unit 417 cause unit 418 to start displaying the video, audio and closed caption (see figures 1 and 5). Necessarily, Menard et al. teaches the electronic signal processor includes video image

processor that queries by image content. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendricks and Kwoh to use the teaching as taught by Menard et al. in order to reduce labor cost at the operation center and provide an desired data to user.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zhang et al. teaches Automatic Parsing of News Video

Aras et al. (US 5,872,588) teaches method and apparatus for monitoring audio-visual materials presented to a subscriber.

Watson, Jr. et al. (US 6,266,816) teaches tunable pass filter cable television control.

Elam (US 6,216,263) teaches receiver apparatus and method for providing conditional access to received television programs.

Casement et al. (US 6,144,401) teaches television schedule system with access control.

Ming et al. (US 5,710,815) teaches encoder apparatus and decoder apparatus for a television signal having embedded viewer access control data.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

14. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh
December 18, 2003

ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600